

## **REMARKS**

In the Office Action dated August 17, 2004 the Examiner rejected Claims 1-5, 9-21, 25-37, 41-53, 57-69, and 73-80 under 35 U.S.C. § 102(b) as being anticipated by Hashimoto et al., USP 5,632,002. The Examiner also rejected Claims 6-8, 22-24, 38-40, 54-56, and 70-72 under 35 U.S.C. § 103(a) as unpatentable over Hashimoto in view of Tomonari Kamba et al., "using small screen space more efficiently," April 13-18, 1996, CHI 96 ("Kamba").

### **CLAIMS 1, 17, 33, 49, AND 65:**

The Examiner rejected Claims 1, 17, 33, 49, and 65 as unpatentable over Hashimoto. The Examiner relies on Figs. 80A and 80B and the specification at column 53, lines 1-40, for a teaching that the "priorities are assigned (see table) to each application program windows distributed across the screen area." But the Hashimoto disclosure relied on by the Examiner deals with "task priority" for determining whether to notify the user "about the reception of the mail." (Column 53, lines 14-15) Hashimoto controls "messages such as the mail reception notice message according to the priority levels of the mail and the operation" so that it is possible "to provide the flexible speech mail tool system which does not interfere with the user's activities in an undesirable manner." (Column 53, lines 41-46)

The "task priorities" used in Hashimoto are totally different and have a different purpose than the priorities assigned to screen areas in the claims. Hashimoto does not discuss or disclose anywhere ambiguity resolution when using a speech interface for a GUI. The "assigning priorities to the screen areas" limitation of the claims provides a basis for "the selection of the first objects if the determined screen area only contains one object matching the first audio input."

The Examiner states that “[a]gain as illustrated in Fig. 80, the focused application window (SHELL TOOL) with a highest priority level will receive a first speech input relating to the selection of one of the recognition vocabulary list (object) (column 53, lines 1-40).” Applicant respectfully submits this is not what Hashimoto teaches. Fig. 79 of Hashimoto shows the flow chart described in the section of the specification cited by the Examiner and shows the steps to control receipt of mail notice messages in accordance with priority levels of the mail and the operation. It is not used for selecting an object when one or more objects match the audio input.

For the reasons stated above Applicant submits that Claims 1, 17, 33, 49, and 65 are patentable and should be allowed.

**CLAIMS 2, 18, 34, 50, AND 66:**

The Examiner relies upon the disclosure at column 63, lines 5-27 of Hashimoto to show that “if the speech input matches more than one vocabulary (object), then the recognized result (the matched object) can be transmitted to all of the speech windows (application program windows) which share that same word (matched object), or to only the speech focused speech window (active window) at the time of the recognition.” But this is not the same as “using a second input to select one of the objects that matches the first audio input in the determined screen area, if the determined screen area contains more than one object that matches the first audio input.” This limitation provides for ambiguity resolution between the audio input and the selected objects which Hashimoto does not teach.

For the reasons stated above Applicant submits that Claims 2, 18, 34, 50, and 66 are patentable. Further these claims depend respectively from Claims 1, 17, 33, 49,

and 65 and are patentable for the same reasons discussed above. Applicant respectfully requests that these claims be allowed.

**CLAIMS 3, 19, 35, 51, AND 67:**

The rejected claims which depend from the above claims, further require “selecting the marked object that best matches the second audio input.” This limitation allows for ambiguity resolution when more than one object matches the first audio input in the determined screen area.

Figs. 53 and 54 of Hashimoto relied upon by the Examiner, is merely selecting the marked object (53F) but not selecting between more than one object for that which best matches the second audio input.

For the above stated reasons and for those reasons discussed above for the claims from which they depend, Applicant submits that Claims 3, 19, 35, 51, and 67 are patentable and should be allowed.

**CLAIMS 4, 5, 9-16, 20, 21, 25-32, 36, 67, 41-48, 52, 53, 57-64, 68, 69, 73-80:**

These claims depend from one or more of the claims discussed above and consequently at least for the reasons given above are patentable over Hashimoto and should be allowed.

**CLAIMS 6-8, 22-24, 38-40, 54-56, and 70-72:**

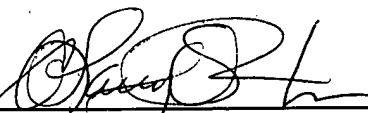
These claims have been rejected under 35 U.S.C. § 103 over Hashimoto in view of Kamba. However, Kamba does not cure the deficiencies of Hashimoto noted above and since these claims depend from one or more of the claims discussed above they are patentable over these references for the same reasons. Applicant respectfully requests that these claims be allowed.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: November 29, 2004

By:  26,013  
for Linda J. Thayer  
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**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:**

NOV 30 2004



In Re Application of: BREITENSTEIN et al.

Application No.: 10/971,126

Group Art Unit: Not yet assigned

Filed: October 25, 2004

Examiner: Not yet assigned

For: IMPLANT WITH A CERAMIC COATING, AND METHOD FOR CERAMIC COATING  
OF AN IMPLANT

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1. Information Disclosure Statement
  2. PTO/SB/08 with copies of cited foreign and non-patent literature

Dated November 29, 2004

Docket No.: 09307.2005

(Due Date: NDD)

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